

For example, many local governments have negotiated cable franchise agreements that require the cable operator to provide free broadband connections to schools, libraries, and government offices for telecommunications purposes. Schools and libraries that are already receiving the benefit of such facilities should not be forced to pay for the service simply because the Commission has established a rate mechanism for those communities that do not already have the capability.

B. A Benchmark Price Based on Prices Where Effective Competition Exists May Be Used as a Surrogate for the Competitive Market Price.

We propose that, as the initial method of setting rates, the Joint Board consider a benchmark based on prices where there is competition, discounted to ensure affordability. Such a discounted price would also have the effect of absorbing a reasonable share of joint and common costs. Under this method, rates for special services in competitive markets would be used as surrogates for the actual market price. One method of establishing the benchmark could be by looking at average costs for bids in areas that have effective competition (such as large suburban school districts) and calculating a national median price. For services that are commercially available in competitive markets but not now widely used by schools and libraries, the national median commercial rate may also be a reasonable surrogate for the competitive price.

Once the benchmark price has been computed, it will be further reduced by the Commission for interstate services and by the state regulatory body for intrastate services as necessary to make the price affordable. The standard for affordability should be that single price that would permit use of the service by 95% of the

potential user community. This discount is large enough to ensure that schools and libraries in most rural, insular and high cost areas will be able to afford service. The corresponding regulatory body would gather data based on current prices being paid by schools and libraries to establish a demand curve for each special service. As systems subscribe to each service, the data would be refined and the price point recalculated at regular intervals. Carriers would have the opportunity to demonstrate to the regulating body that the incremental cost of providing the service exceeded the discounted rate. The carrier would be compensated for any such difference between the 95% affordability price point and the carrier's TSLRIC, out of the universal service fund.

Rates in each area would be set after comparing bids received by the contracting agency to the competitive benchmark. If there is effective competition in a bidding area, the winning bid would be compared to the discounted national benchmark rate. If the competitively bid rate exceeds the discounted rate, the provider will be required to lower its price to the discounted rate. If the bid price is lower than the discounted rate, then the bid price will apply, under the general rule described above.

In areas where there is no effective competition, the discounted price should be based directly on the competitive benchmark for each service and basic service element. Any school district or library facing "above-discounted-benchmark" costs will get the service at the national benchmark price, less the discount.

C. The Total Service Long Run Incremental Cost May Be Used as a Floor Under the Discounted Rate, if the Carrier Presents Sufficient Data.

As an alternative to the competitive benchmark rate, the Commission should adopt the TSLRIC, which is discussed in more detail in separate comments filed by the American Library Association. Under this method, the provider's TSLRIC for each service would be substituted for the discounted national competitive benchmark, provided that there was sufficient information to calculate the TSLRIC and agreement on what should be included in TSLRIC. Thus, providers would submit their TSLRIC's for each service as bids and the low bidder would receive the right to serve the bidding area, subject to the conditions discussed below.

D. Providers of Special Services Should be Selected on the Basis of Competitive Bids.

Under both approaches, the provider of universal service in an area would be selected through a bidding process. Prospective service providers would submit bids to school and library districts upon the request of the contracting officer for each district, issued in accordance with local contracting procedures. Issuance of a request for proposals or any equivalent mechanism permitted by state or local law would constitute a bona fide request. Districts should also have the authority to aggregate demand by forming consortia with other eligible entities.

To permit the contracting agency to compare bids, bidders would be required to submit unbundled rates for individual services, or rates for service packages accompanied by a cost allocation showing the costs corresponding to each service in the package.

Bids would be reviewed by the requesting entity or entities, again in accordance with local contracting procedures. The low bidder would receive the right to serve schools and libraries in that region at the discounted rate. If, however, the contracting agency had reason to reject the low bid on grounds permitted by its local procedures -- such as a past record of poor service -- the contracting agency could select a different service provider. To encourage low bidding by service providers, however, only the lowest qualified bidder would have the right to compensation from the universal service fund.

E. Under Either Rate Proposal, a "Safety Net" for Poor Schools and Libraries Would Reduce the Discounted Price Further To Ensure Affordability for All.

It is possible in some cases that even the discounted benchmark price or the TSLRIC rate will be too high for a very poor school district or library to be able to pay. In such cases, we propose an additional lifeline subsidy to ensure that all schools and libraries can afford special services.

The determination of which school and library districts are eligible for a lifeline subsidy would be based on family income in each school district, as determined by the Census Bureau, or some other appropriate state or federal formula. As a rough approximation, the Census data corresponds to the tax base available to support a school or library district's investment in telecommunications facilities. The lifeline subsidy would be available to schools and libraries situated within districts that are in the bottom 25% of all school districts, ranked according to median family income. In other words, the lifeline subsidy would be available to schools and libraries serving

the poorest 25% of the population. The amount of the subsidy would be proportional to the amount by which the average income in the district falls below the national average, so that an area with only 25% of the national average income would pay only 25% of the discounted price. Because this subsidy will probably benefit particular compact areas, the subsidy would come out of the federal fund, and not any state mechanism.

F. Sharing of Facilities with Noneducational Users.

The Commission should not take any action that would significantly restrict sharing of facilities. So long as a facility is being used primarily for educational purposes, it should be deemed to meet the requirements of the 1996 Act. Otherwise, innovative uses of technology and enhanced roles for schools and libraries could be stifled. Schools and libraries should remain free to share their networks with other entities in the community, and schools and libraries should not be prohibited from charging lab fees or user fees to defray expenses related to the use of a network.

VI. THE JOINT BOARD SHOULD RECOMMEND REGULATORY MEASURES TO ENHANCE ACCESS TO ADVANCED SERVICES.

Subsection 254(h)(2) of the 1996 Act requires the Commission to adopt rules to enhance access to advanced telecommunications and information services for school classrooms and libraries, and defining the circumstances under which carriers may be required to connect their networks to such users.

To the extent not already included as special services, the Commission should encourage development of two-way interactive video services or Internet services over dedicated facilities to or for schools. The Commission can enhance access by

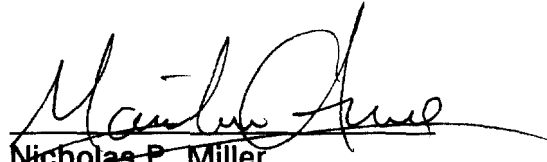
adopting appropriate pricing policies. Such policies could include marginal-cost pricing of transmission usage to access information services providers, postalized inter-city rates, and flat-rate service, in addition to implementation of Section 271(g)(2).

Other regulatory policies that should be considered to ensure access to services are requiring the unbundling of services to allow easier aggregation of service by school and library consortia, and mandating service by one or more local providers if nobody bids on a request for proposals issued by an eligible entity.

Conclusion

For the foregoing reasons, the joint commenters urge the Joint Board to recommend that the Commission adopt rules ensuring that all eligible schools and libraries have access to the broadest permissible range of services, at prices that will deliver the benefits of advanced telecommunications technology nationwide.

Respectfully submitted,


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April 10, 1996

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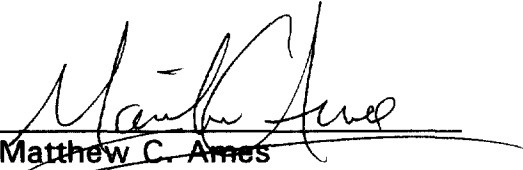
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APPENDIX A -- DESCRIPTION OF THE JOINT COMMENTERS

The joint commenters represent a coalition of educational and library groups that have been working together to provide schools and libraries with affordable access to telecommunications and to ensure the effective implementation of the Snowe-Rockefeller Amendment. They include the National School Boards Association ("NSBA"), the American Library Association ("ALA"), including the American Association of School Librarians, a Division of ALA, the National Education Association ("NEA"), the Consortium for School Networking ("CoSN"), the Council of Chief State School Officers ("CCSSO"), Education Legislative Services, Inc. ("ELS"), the National Association of Independent Schools ("NAIS"), the National Association of Secondary School Principals, American Federation of Teachers, AFL-CIO ("AFT"), the Association for the Advancement of Computing in Education, the National Association of Elementary School Principals, the American Association of School Administrators, American Psychological Association, Association for Supervision and Curriculum Development, Council for American Private Education, Council for Educational Development and Research, Educational Testing Service, Global Village Schools Institute, National Association of State Boards of Education, National Parents and Teachers Association, National Rural Education Association, Technology and Innovations in Education, Triangle Coalition for Science for Technology Education, and United States Distance Learning Association.

The NSBA is the nationwide advocacy organization for public school governance. NSBA represents the nation's 95,000 school board members. These board members govern 15,025 local school districts that serve more than 40 million public school students -- approximately 90 percent of all elementary and secondary students in the nation. Virtually all school board members are elected; the remainder are appointed by elected officials. NSBA's mission is to foster excellence and equity in public elementary and secondary education in the United States through local school board leadership. NSBA supports the capacity of each school board -- acting on behalf and in close concert with the people of its community -- to envision the future of education in its community, to establish a structure and environment that allow all students to reach their maximum potential, to provide accountability for the people of its community on performance in the schools, and to serve as the key community advocate for children and youth and their public schools.

The ALA is a nonprofit educational organization of 57,000 librarians, library educators, information specialists, library trustees, and friends of libraries representing public, school, academic, state, and specialized libraries dedicated to the improvement of library and information services. A new five-year initiative, ALA Goal 2000, aims to have ALA and librarianship be as closely associated with the public's right to a free and open information society - intellectual participation - as it is with the idea of intellectual freedom. ALA Goal 2000 also emphasizes the importance of equity on the information superhighway and continues ALA's efforts to advocate for

the highest quality of library and information services for all Americans.

The NEA, with over 2.2 million members, is the nation's largest professional employee organization, representing elementary and secondary teachers, higher education faculty, educational support personnel, retired educators, and students preparing to become teachers. NEA is focused on the issues and needs of education and the teaching profession.

The CoSN is a membership organization of institutions formed to further the development of computer-based networking among Kindergarten through 12th grade staff and students throughout the country. CoSN seeks to assure that schools develop sound networking systems and appropriate curricular applications. Our goal is for every classroom in the country to be connected to the Internet by the year 2000. We are working with other groups and policy makers to make sure all schools have affordable access to the NII.

The CCSSO is a nationwide, nonprofit organization comprised of the public officials who head the departments of elementary and secondary education and, in some states, other aspects of education in the state, five U. S. extra-jurisdictions, the District of Columbia, and the Department of Defense Schools. The Council has served as an independent voice on federal education policy since 1927, and has maintained an office in Washington, DC since 1948. Since 1908, chief state school officers have conferred with the U. S. Congress and federal agencies "to consider educational interests common to all states...which furthered by a free comparison of views." In representing the chief education administrators, the Council speaks on behalf of state education agencies, which have the primary authority for education in each state, and carries national influence commensurate with this position. The Council's members develop consensus on major issues, which the Council advocates before the President, federal agencies, the Congress and the public.

ELS is a private San Diego, California firm, with Washington, D.C. offices, that provides information, advocacy and assistance to its clients on a wide range of federal legislative and regulatory matters that affect public elementary and secondary education. It focuses on issues of funding, general, special and vocational education programs; child nutrition, health and safety; immigration and language proficiency; telecommunications and educational technology, among others. ELS's clients are California public school districts exclusively and include the following: Oakland Unified School District; San Diego Unified School District; Sacramento City Unified School District; San Francisco Unified School District; Fresno Unified School District; Contra California Education Legislation Consortium; Long Beach Unified School District; West Contra Costa Unified School District.

NAIS is a voluntary membership organization of over 1,100 member schools and associations in the United States and abroad, and is the national institutional

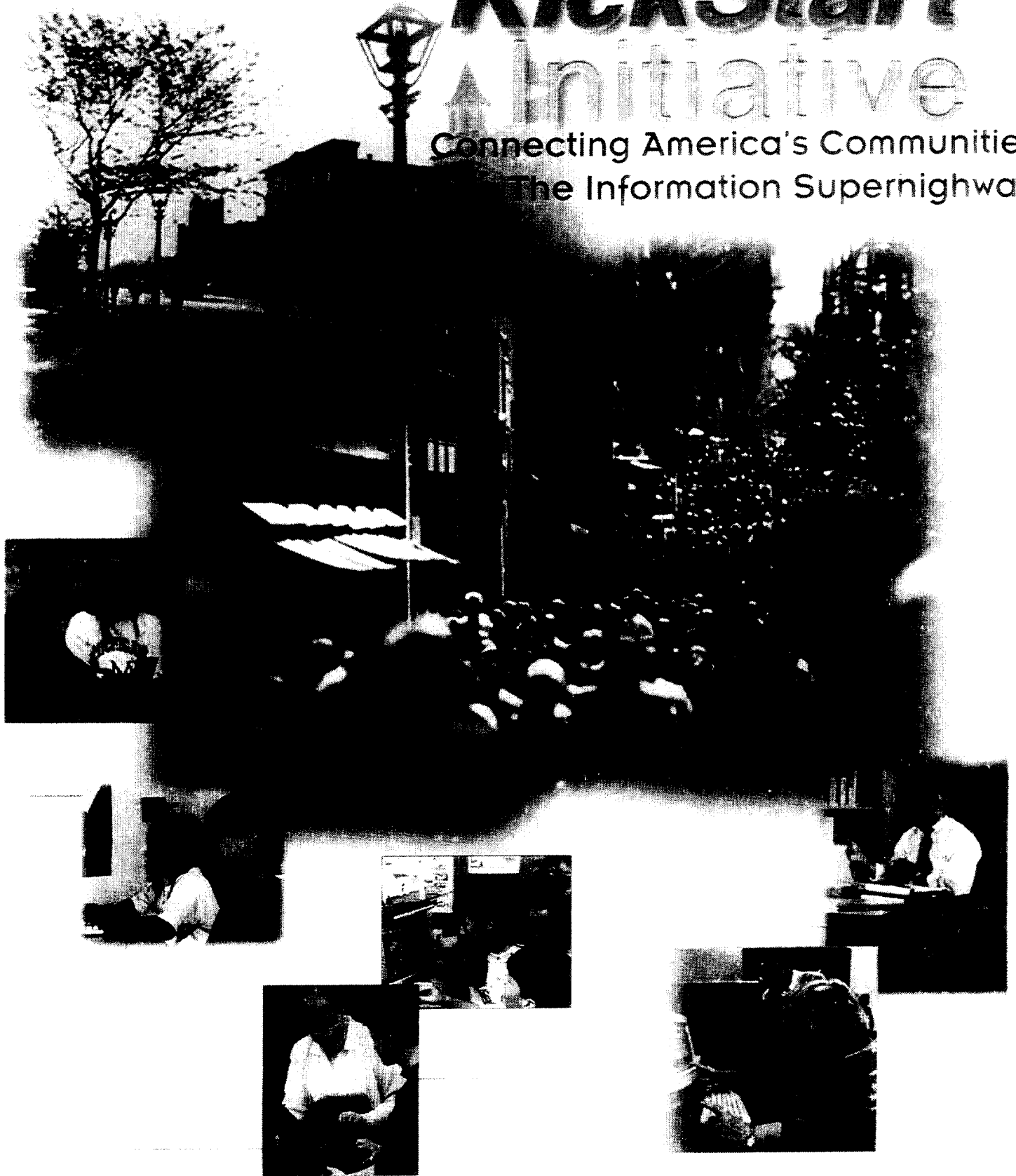
advocate for independent precollegiate education. NAIS represents 416,000 students, 53,200 teachers and instruction support personnel, and 8,600 administrators in the U.S.

Representing over 885,000 members, the AFT is a public employee union of K-12 teachers and school aids, higher education staff, nurses and health professionals, and public employees. Across the nation, AFT is comprised of state affiliates and thousands of local affiliates.

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KickStart Initiative

Connecting America's Communities
To The Information Supernhighway

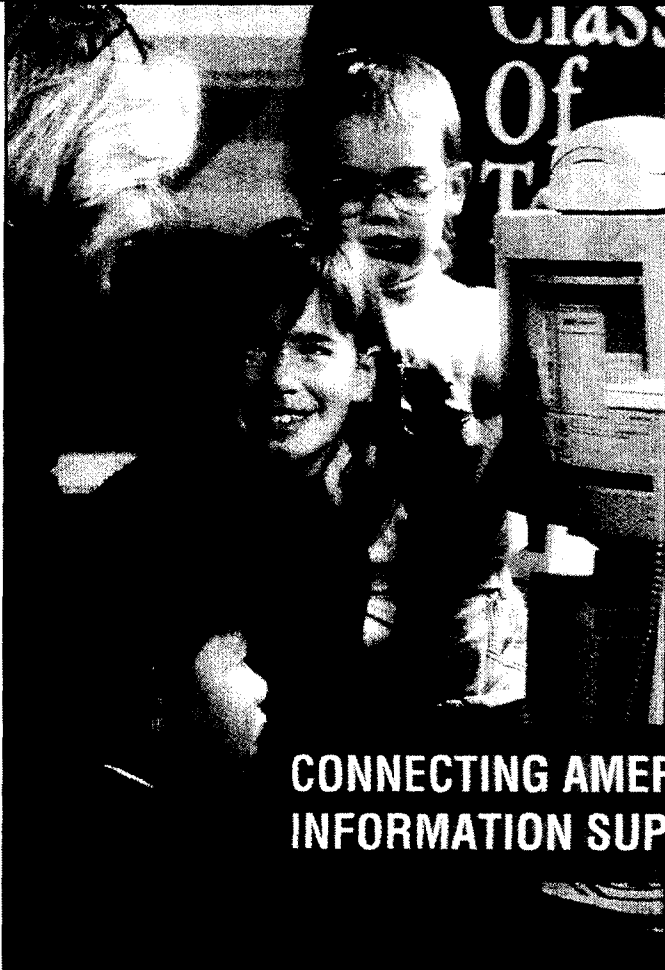


United States Advisory Council On The National Information Infrastructure

TOP TEN QUESTIONS ABOUT THE KICKSTART INITIATIVE

This publication is intended to help community leaders launch KickStart Initiatives to bring their communities onto the Information Superhighway. Communities will want to answer these ten questions when developing their program:

1. What's the Information Superhighway all about?
(See "Defining the Information Superhighway," pg. 7)
2. How will communities benefit from the Superhighway?
(See Section 1, Part 1, "Realizing the Benefits," pg. 11)
3. What is a KickStart Initiative?
(See "A Call to Action," pg. 5)
4. How can communities start a KickStart Initiative?
(See "The Key Messages of KickStart," pg. 7)
5. How do communities ensure success in their KickStart initiatives?
(See Section 1, Part 2, "Highlighting the Ingredients of Success," pg. 25)
6. How have other communities succeeded in joining the Superhighway?
(See Section 1, Part 3, "Showcasing Success Stories," pg. 33)
7. Who can kickstart a community?
(See Section 2, Part 1, "Galvanizing the Stakeholders," pg. 81)
8. What will it cost and where will the money come from?
(See Section 2, Part 2, "Identifying Costs and Sources of Funding," pg. 89)
9. What are the "rules of the road" for participating in the Information Superhighway?
(See Section 2, Part 3, "Meeting Responsibilities as Users and Creators," pg. 107)
10. Where can somebody get more information?
(See Section 4, "Resources for Communities," pg. 141)



KickStart Initiative

**CONNECTING AMERICA'S COMMUNITIES TO THE
INFORMATION SUPERHIGHWAY**

**United States Advisory Council on the
National Information Infrastructure**



The United States Advisory Council on the National Information Infrastructure wishes to thank West Publishing for donating the time and resources necessary to publish this report. The Council shares with West the commitment to deliver important information to the American people.

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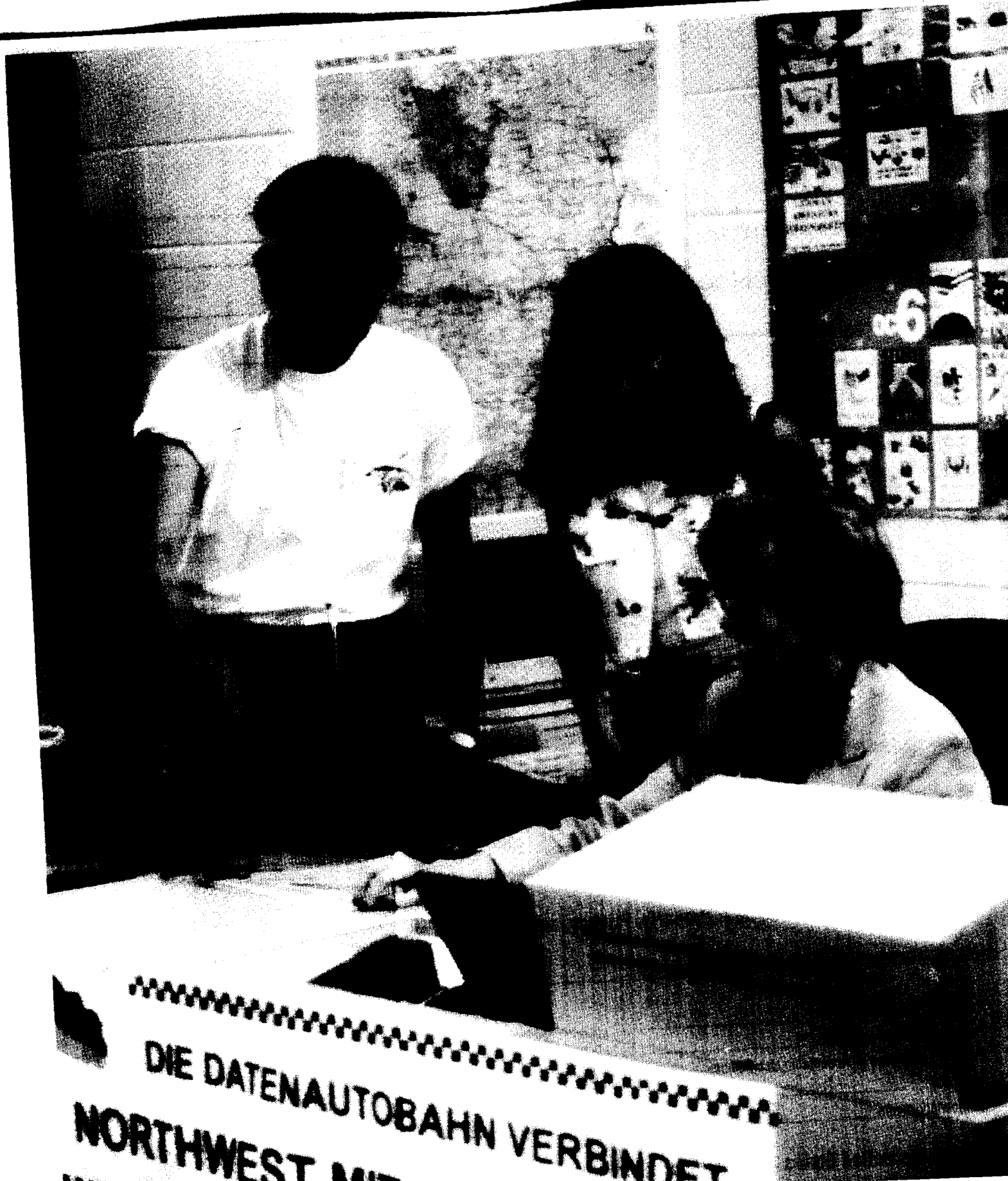
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**DIE DATENAUTOBAHN VERBINDET
NORTHWEST MIT**

A Call to Action

This Nation stands on the threshold of one of the greatest opportunities in its history, the opportunity to seize the boundless benefits of the Information Age for its people. America must act now—within the few years remaining before the next millennium—to link everybody in every community to the Information Superhighway.

Therefore, the National Information Infrastructure Advisory Council (NIIAC) calls on community leaders across the Nation to move rapidly to provide all individuals the opportunity to access and use to the Information Superhighway. Equality of opportunity is a fundamental tenet of American democracy. Every individual in this country should have the opportunity to participate on the Information Superhighway by the year 2000. The quickest, most efficient way to do this is to bring the Superhighway to the neighborhood—to schools, libraries, and community centers.

The Council calls on leaders and individuals in all communities of America to pick up the challenge, to seize the opportunity, and to move rapidly and responsibly forward to use, access, and operate the Information Superhighway. Leadership at *every* level, particularly at the community level, is what will ensure that the Nation meets the goal. The Council offers this guide to help community leaders launch KickStart Initiatives to connect schools, libraries, and community centers to the Superhighway.

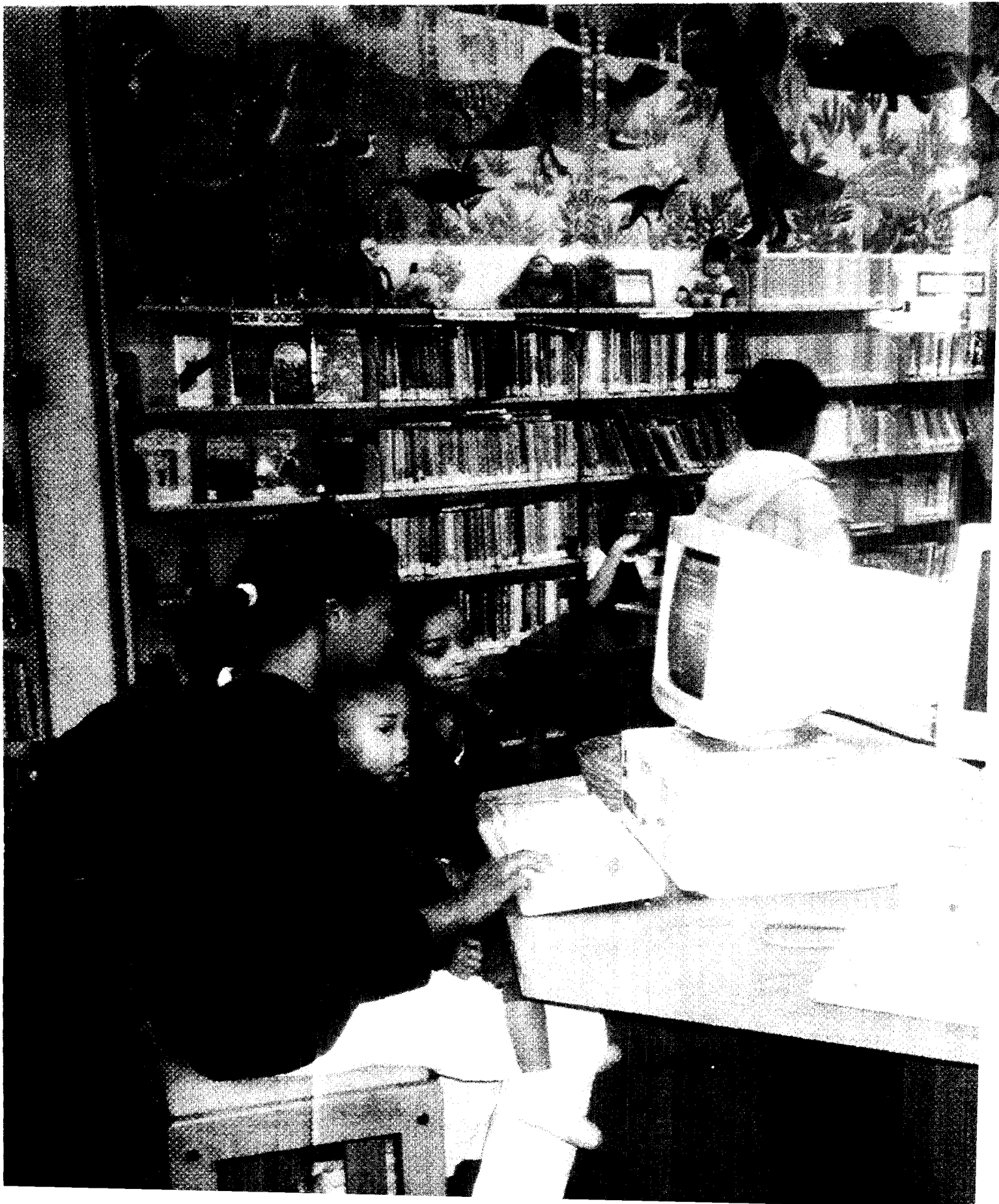
Vice President Al Gore foresees a Nation with a Superhighway that “can save lives, create jobs, and give every American, young and old, the chance for the best education available to anyone, anywhere.” The Council shares that vision. The Council wants to see that vision become a reality in the next 5 to 10 years, and it believes that hundreds of community programs, all over the Nation, will help to make that a reality.

Imagine a Nation where every student in every classroom visits libraries and museums of the world electronically, where families and friends widely separated by distance converse easily and inexpensively via electronic mail, where every library is a local information hub, and where community centers help local residents learn, use, and benefit from new communications technologies.

That America can become a reality in just a few years. Every person in the country will benefit. Community leaders and the public face an historic opportunity. The time to act is now.

“This is an enormous effort. It will take the same spirit and tenacity that built our railroads and highways. It will take leadership and dedication of groups like the NIIAC . . . So let us begin. Let today mark the start of our mission to connect every school in America by the year 2000.”

—President Clinton, Sept. 21, 1995, remarks on education technology and connecting classrooms, San Francisco, California.



The Key Messages of KickStart

If everybody in America has access to the Information Superhighway, a more vibrant society and a more robust economy will result. Every community in America will benefit from being linked to the Information Superhighway. Participation and use will:

- Improve the lives of individuals;
- Reinvigorate education;
- Expand businesses; and
- Strengthen communities.

Many communities are already joining the Superhighway. Their stories are told in this publication. Others are just beginning to identify leadership, to plan, and to find funding sources. This publication is a guide for leaders and the public in all those communities.

KEY MESSAGES

After 2 years of study and talks with many people across the country in all walks of life, the Council concludes that the best approach for this Nation is to bring the Information Superhighway to the neighborhood. That is most rapidly accomplished through connecting schools, libraries, and community centers where everybody—young and old, rich and poor, those with and without disabilities—can obtain affordable access to the Superhighway.

But each community needs to develop its own approach. There is not a “one-size-fits-all-communities” approach—instead, the key players from each community should come together to determine how that community’s interests can best be served through connection to the Information Superhighway.

As your community proceeds, the Council believes that the following key messages contained in this KickStart publication may serve to be the most useful:

1. The Information Superhighway should be designed to enhance lifelong learning, job skills, and community building.
2. Training teachers, librarians, and community service providers is critical—the country is now very far from having every teacher or librarian ready to train and help others to use the Superhighway for learning and skill building.
3. Software and other kinds of creative content are critical to providing the real benefits of the Superhighway.
4. Everyone can be both a consumer and creator of intellectual property. The rights of creators and owners of intellectual property must be observed and respected.
5. Costs are manageable and sources of funds are available to the committed and persistent.

Defining the Information Superhighway:

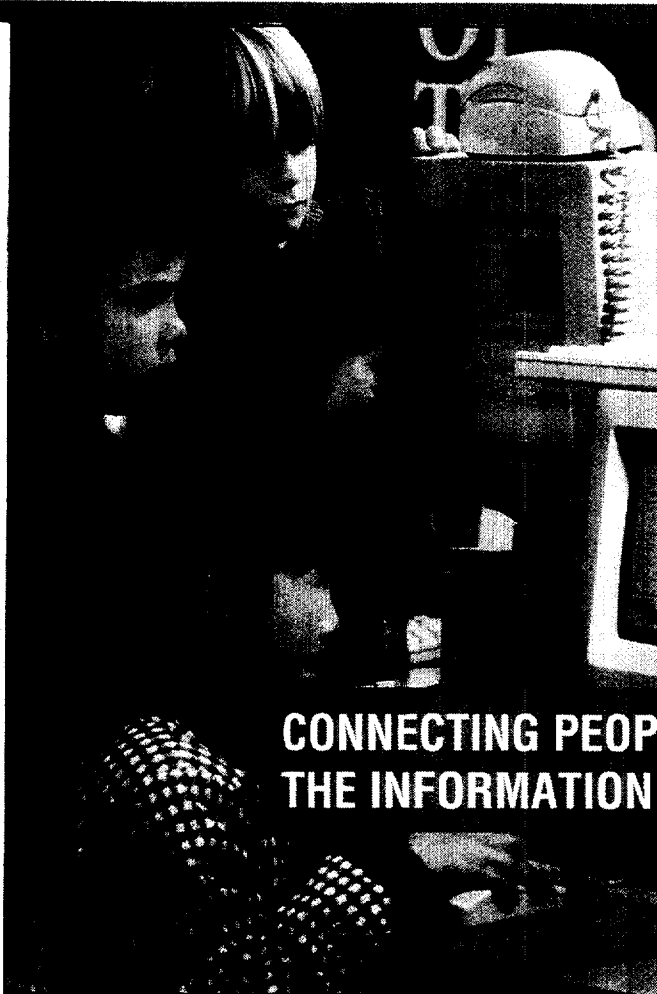
A series of components, including the collection of public and private high-speed, interactive, narrow and broadband networks that exist today and will emerge tomorrow.

- It is the satellite, terrestrial, and wireless technologies that deliver content to homes, businesses, and other public and private institutions.
- It is the information and content that flow over the infrastructure, whether in the form of databases, the written word, a film, a piece of music, a sound recording, a picture, or computer software.
- It is the computers, televisions, telephones, radios, and other products that people will employ to access the infrastructure.
- It is the people who will provide, manage, and generate new information, and those who will help others to do the same.
- And it is the individual Americans who will use and benefit from the Information Superhighway.

The Information Superhighway is a term that encompasses all these components and captures the vision of a nationwide, invisible, seamless, dynamic web of transmission mechanisms, information, appliances, content, and people.—
Common Ground.

6. There are many diverse and varied stakeholders in every community who can and should be counted on to be part of KickStart Initiatives.
7. A large body of useful information, both in print and online, can serve as a good starting point for KickStart Initiatives.

But if there were one overriding lesson that we take away from the success stories that we've witnessed and learned about it's that one person can make a real difference. Whether it's been a student, one parent, one teacher, or one community leader, our experience is that a "champion" for the Information Superhighway has been the critical success factor. We hope this volume will serve as a guide and a resource—but you should know that your vision and your energy are likely to be the critical difference in bringing your school, library, or community center into the 21st century.



section1

**CONNECTING PEOPLE AND COMMUNITIES TO
THE INFORMATION SUPERHIGHWAY**